IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

CHAMBER SUMMONS NO.1023 OF 2007
WITH
SUIT NO.6846 OF 1999

Regency Convention Centre & Hotels Pvt. Ltd.
....Plaintiff.
Vs.

The Airports Authority of India and ors.
....Defendants.

Mr. Kalpesh Joshi i/by Malvi Ranchoddas & Co. for the Plaintiff.

Mr.D.G. Dhanure i/by M.V. Kini & Co. for the Defendant No.1.

Mr. Nitin Thakkar,Sr.Advocate alongwith Madhu Hiraskar i/by M/s. Chitnis Vaithy & Co. for the defendant Nos. 2 to 16.

CORAM : A.M.KHANWILKAR,J.
DATED : July 12, 2007.

P.C.

1. Although the counsel for the defendant No.1 seeks time to file reply to oppose this chamber summons, I see no propriety in acceding to that request. This is so because the plaintiff has no objection for taking the written statement of defendant No. 1 on record. The objection, if any, ought to be at the instance of the plaintiff and not the defendant Nos. 2 to 16 for taking the written statement on record. As the present chamber summons is not opposed by the plaintiff, same is made absolute in terms of prayer clause (a) and (b).

2. Written statement to be filed by tomorrow which will

be taken on record. It is made clear that permitting the defendant Nos. 2 to 16 to file their written statement belatedly is not an expression of opinion either way on the merits of the contentions available to the parties which will be decided at the appropriate stage.

3. In so far suit is concerned, it is not in dispute that the issues were framed by this court. The counsel for the defendant Nos. 2 to 16 at present is of the opinion that no additional issue will arise for consideration on account of the written statement to be filed by the said defendants. In the circumstances, suit can proceed further.

4. The plaintiffs' Advocate has tendered original documents. The said documents are taken on record.

5. The defendant Nos. 2 to 16 to file their documents within a period of four weeks from today.

6. Parties to file their affidavits of evidence within six weeks from today. Place the Suit No.6846 of 1999 on 3.9.2007 under caption "for filing affidavits of documents and evidence".

(A.M.KHANWILKAR, J.)